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14
15 **UNITED STATES BANKRUPTCY COURT**

16
17 **DISTRICT OF NEVADA**

18 In re

Case No. BK-10-17015-BAM

19 FX LUXURY LAS VEGAS I, LLC,
20 a Nevada limited liability company,

Chapter 11

21 Debtor.

**STIPULATED ORDER CONTINUING
MATTERS SET FOR HEARING
ON DECEMBER 15, 2010 TO
JANUARY 10, 2010**

23 Hearing Date: December 15, 2010
24 Hearing Time: 10:00 a.m.

25
26 The Court having entered an order approving the *Second Amended Disclosure Statement in*
27 *Support of Third Amended Chapter 11 Plan of Reorganization Dated October 12, 2010* and confirming
28 the *Third Amended Plan of Reorganization Dated October 12, 2010* (the “Plan”), proposed by the

1 Backstop Investors,¹ and the Court having scheduled a status hearing (the “Status Hearing”) for
2 December 15, 2010, a date by which the parties had anticipated the Plan would go effective (the
3 “Anticipated Closing Date”), with respect to the open matters in the Chapter 11 Case and the Adversary
4 Proceeding, including the Plan going effective; and upon the request of Landesbank Baden-
5 Württemberg, New York Branch, as First Lien Agent, on behalf of the First Lien Lenders, the parties
6 having set the Anticipated Closing Date for December 15, 2010, with closing being imminent on the
7 Anticipated Closing Date but not before the Status Hearing; and upon the consent of FX Luxury Las
8 Vegas I, LLC, a Nevada limited liability company (“Debtor”), the debtor and debtor-in-possession in
9 the Chapter 11 Case; Landesbank Baden-Württemberg, New York Branch, as First Lien Agent, on
10 behalf of the First Lien Lenders, Haynes & Boone, LLP, attorneys for Nexbank, SSB, as Second Lien
11 Agent, on behalf of the Second Lien Lenders and certain of the Backstop Investors; and Herrick
12 Feinstein LLP, attorneys for The Huff International Fund, L.P. and The Huff Alternative Parallel Fund,
13 L.P.

14 **IT IS HEREBY STIPULATED BY THE UNDERSIGNED PARTIES AND NOTICE IS
15 HEREBY GIVEN THAT** the following matters, currently set for hearing before the Court on
16 December 15, 2010, at 10:00 a.m.:

- 17 • Motion for Approval of Stipulation for Entry of Interim and Final Orders (A)
18 Authorizing and Approving Debtor’s (1) Use of Cash Collateral, and (2)
Granting Adequate Protection to Repetition Secured Parties, and (B)
Scheduling a Final Hearing With Proposed Order [Docket No. 13] filed by
Debtor on April 21, 2010;
- 20 • Motion for Entry of Second Amended Interim Order (I) Authorizing and
21 Approving Debtor’s Use of Cash Collateral; and (II) Scheduling a Hearing for
Entry of a Final Order Authorizing and Approving Such Use [Docket No.
337] filed by Debtor on June 25, 2010;
- 23 • Scheduling Conference re: Complaint in Adversary Proceeding 2-10-01157
[Docket No. 13];
- 25 • Status re: Motion to Dismiss Plaintiff Nexbank, SSB’s Motion to Dismiss
LBBW’s Counterclaims Pursuant to Federal Rule of Civil Procedure
12(B)(6) [Docket No. 36];

26
27 ¹ Docket No. 680. Capitalized terms not defined herein shall have the meanings ascribed to
them in the Plan.
28

- 1 • Status re: Motion for Summary Judgment [Docket No. 48];
- 2 • Status re: Motion to Amend Motion of Nexbank, SSB, Under Fed. R. Bankr. P. 7016(B)(4) for Entry of Amended Scheduling Order [Docket No. 59];
- 3 • Motion to Appoint Trustee [Docket No. 112];
- 4 • Motion for Relief From Stay re: Harmon Ave. and Las Vegas Blvd. [Docket No. 300];
- 5 • Motion for Approval of Procedures Motion of the Back stop Investors for Entry of an Order (A) Approving Disclosure Statement; (B) Approving Solicitation Procedures; (C) Approving Forms of Ballots and Noticing Procedures; and (D) Scheduling Certain Dates with Respect Thereto [Docket No. 376];
- 6 • Application for Entry of an Order Pursuant to Sections 506, 1111(B), and 1125 of the Bankruptcy Code and Bankruptcy Rules 3012 and 3014(A) Determining the Value of the First Lien Lenders' Claims and (B) requiring the First Lien Parties to Make an Election Under 11 U.S.C. 1111(B)(2) on an Expedited Basis [Docket No. 395]; and
- 7 • Motion for Approval of Procedures Motion of LBBW for Entry of An Order Approving (I) Disclosure Statement; (II) Solicitation Procedures; (III) Forms of Ballots and Noticing Procedures; and (IV) Certain Dates With Respect Thereto [Docket No. 498].

14 will to be continued and will be heard for status only by a United States Bankruptcy Judge, in the Foley
15 Federal Building located at 300 Las Vegas Boulevard South, Courtroom 3, Las Vegas, Nevada 89101,
16 on Monday, **January 10, 2011**, at the hour of **9:30 a.m. prevailing Pacific time**.

18 Prepared and respectfully submitted by:

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20 By *s/ Anne M. Loraditch*

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Counsel for NexBank, SSB, Second Lien Agent

25 **ORDER**

26 It is so **ORDERED**.

27 # # #